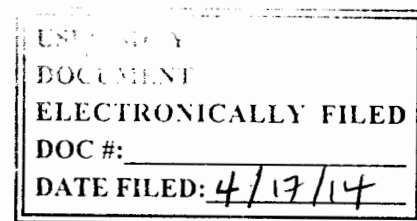


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
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UNITED STATES :
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-v- :
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LEONIDES SIERRA et al., :
:
:
Defendants. :
:
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S5 11 Cr. 1032 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

A pretrial conference was held on April 16, 2014 for Felix Lopez-Cabrera, Carlos Lopez, Luis Beltran, Miguel Strong, Javier Beltran, Yandel Silverio, Andry Lazala, and Raymond Sosa, whose trial is scheduled to begin on September 15, 2014. At that conference, the Court reviewed developments in the case since the last conference in February; inquired about any issues relating to provision of and access to Rule 16 discovery; and requested an update from both the Government and defense on the status of the capital review process.

At the conference, there were no substantive issues raised by either the Government or defense counsel relating to provision of and access to Rule 16 discovery. As to the capital review process, the Attorney General has not rendered an opinion on whether to seek the death penalty. The Government advised the Court, however, that a decision would likely be reached by the end of May at the latest.

At the conference, the Court also set the following deadlines:

- Motions to suppress are due on June 30, 2014;
- Responses to motions to suppress are due on July 14, 2014;
- Other (non-suppression) motions are due on July 14, 2014;

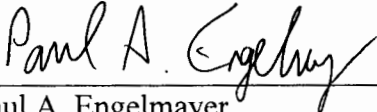
- Responses to other motions are due on July 28, 2014;
- Motions in limine from both the Government and the defense are due on August 11, 2014;
- Responses to motions in limine are due on August 18, 2014;
- The Government's proposed voir dire and requests to charge are due on August 18, 2014;
- The defense's proposed voir dire and requests to charge are due on August 25, 2014.

The Court neglected at the conference to set a deadline for 404(b) notice by the Government. Such notice is due on August 18, 2014. Any motion to exclude evidence covered by that notice is due on August 25, 2014.

At the conference, the Government stated that its intention, as to this trial, is to provide § 3500 material to the defense on the following schedule: (1) for law enforcement witnesses, two weeks before the September 15, 2014 trial date; (2) for cooperating witnesses, one week before the September 15, 2014 trial date; and (3) for civilian witnesses, by a date to be determined, with due consideration given to the issue of witness safety and with such material potentially subject to protective orders. The Court thanks the Government for its commitment to produce § 3500 material on this schedule, *i.e.*, substantially in advancement of the deadlines set by the Jencks Act.

The Court will hold a next conference as to these defendants on July 31, 2014, at 9:30 a.m. in Courtroom 1305 of the Thurgood Marshall U.S. Courthouse, 40 Centre Street, New York, New York 10007.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: April 17, 2014
New York, New York